

REMARKS

Reconsideration of the above-identified application in view of the amendments above and the remarks following is respectfully requested.

Claims 1-23 are in this case. Claims 1-23 have been rejected under § 103(a).

No amendments are made to the application at this time.

Objections to the Specification

The Examiner has objected to the specification, pointing out that: *“the abstract should be limited to a single paragraph on a separate sheet within the range of 50 of 100 words.”*

It is unclear to the Applicant which particular requirement that Examiner believes has not been satisfied by the Abstract. The Abstract seems to be a single paragraph, and contains roughly 100 words, well within the 50-150 range specified. (The Examiner's 100 word limit appears to be erroneous.)

Regarding the requirement for an Abstract on a separate sheet, the Examiner is respectfully referred to 1893.03(e)(I) which states:

The requirement of 37 CFR 1.52(b) that the abstract "commence on a separate physical sheet or electronic page" does not apply to the copy of the published international application communicated to the designated Offices by the International Bureau under PCT Article 20. Accordingly, it is improper for the examiner of the U.S. national stage application to require the applicant to provide an abstract commencing on a separate sheet if the abstract does not appear on a separate sheet in the publication of the international application.

The Applicant respectfully requests that the Examiner reconsider the objections to the specification. In the event that the Examiner still finds any informality in the Abstract, the Examiner is respectfully requested to point out the problem more specifically in order to allow the Applicant to address it fully.

§ 103 Rejections

The Examiner has rejected claims 1-23 under 35 U.S.C. 103(a) as being unpatentable over Tzidon et al. (US 5,807,109, hereafter “Tzidon”) in view of Spirkovska (US 7,129,857). The Examiner’s rejections are respectfully traversed.

Tzidon discloses a simulator system for installation within a low-performance host aircraft to simulate the control systems of a high-performance aircraft, thereby providing a relatively low-cost training tool for pilots. The system provides various user controlled buttons to operate systems or change display modes. Tzidon does not discuss providing any data in audible verbal form.

Spirkovska discloses a weather warning and information system which provides a speech-based interface. The system is a dedicated system intended for “general aviation” aircraft, i.e., specifically for non-military applications.

The Examiner has stated that Tzidon discloses all features of independent claims 1, 12 and 17 except for “**generating a verbal message audible to the pilot containing said information.**” The Examiner has stated that it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the speech-based interface of Spirkovska within the system of Tzidon in order to rapidly and quickly transmit valuable information related to the aircraft pilot's present needs, thereby increasing the safety of the system.

In response, the Applicant respectfully submits that the Examiner’s assertion is mistaken, and that the Examiner has failed to establish a prima facie case for obviousness, for at least the following reasons.

Clear Motivation Against the Combination of References

Firstly, the Applicant wishes to point out that there is a clear motivation which would lead a person having ordinary skill in the art to dismiss the modification of Tzidon proposed by the Examiner.

Specifically, Tzidon discloses an airborne avionics simulator system for replicating the interfaces of a high-performance aircraft for the purpose of training and evaluating a pilot. As such, any modification of the Tzidon system which would render the user interface further distinct from that of the high-performance aircraft it comes to replicate would immediately be rejected as contrary to the teachings of Tzidon.

Furthermore, the proposed modification, if implemented, would render the system of Tzidon unsuitable for its intended purpose, since it would no longer properly simulate the user interface of the high-performance aircraft it comes to replicate.

Unsuitability of Spirkovska

More fundamentally, a person having ordinary skill in the art and looking to improve the interface of a fighter aircraft would reject the speech-based interface of Spirkovska out of hand as unsuitable.

As detailed in the application (page 1, lines 15-28), the present invention comes to address a problem specific to air-to-air combat in which the split-second reaction times and direct-eye-contact required of a pilot prevent him from viewing information which is already clearly displayed in front of him in the various dials and displays of the cockpit. Such combat conditions impose extreme limitations on any user interface.

The system of Spirkovska is disclosed as a general aviation (i.e., domestic aircraft) system and, as such, operates in a completely different context, without the extreme limitations addressed by the present invention. In the absence of any teaching to the contrary, the Applicant respectfully submits that a person of ordinary skill in the art would not consider adopting a speech-based interface disclosed for use in domestic aircraft for implementation in a combat aircraft.

Furthermore, Spirkovska discloses a complex interface with numerous different queries (see Table I) and corresponding outputs. As a result, the system would be clearly not be considered to provide a practical solution for the high-performance combat applications to which the claims are directed.

In view of these observations, the Applicant respectfully submits that the Examiner has failed to present a prima facie case for obviousness of the claims before the Examiner. Reconsideration of the Examiner's rejections on § 103(a) grounds is respectfully solicited.

In view of the above amendments and remarks it is respectfully submitted that independent claims 1, 12 and 17, and hence also dependent claims 2-11, 13-16 and 18-23, are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,

/Mark M. Friedman/

Mark M. Friedman
Attorney for Applicant
Registration No. 33,883

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